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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA, ) No. CR-08-00541 CW  
11 )  
12 Plaintiff, ) STIPULATION AND [PROPOSED]  
vs. ) ORDER CONTINUING STATUS  
13 ) HEARING  
14 MARSHAWN JEROME HOWARD ) Hearing Date: September 3, 2008  
15 Defendant. ) Requested Date: September 24, 2008  
16 \_\_\_\_\_)

17 It is hereby stipulated between the parties that the status hearing date of September 3,  
18 2008 should be continued to September 24, 2008 at 2:00 p.m. The parties request this  
19 continuance because counsel for Mr. Howard needs time to review the discovery and to meet  
20 with Mr. Howard. This is a new case. Mr. Howard was arraigned on August 19, 2008, and  
21 counsel received discovery on August 20, 2008.

22 The parties further agree that the ends of justice served by the continuance requested  
23 herein outweigh the best interest of the public and the defendant in a speedy trial because the  
24 failure to grant the continuance would deny counsel for the defendant the reasonable time  
25 necessary for effective preparation, taking into account the exercise of due diligence. The parties  
26 therefore agree that time should be excluded between September 3, 2008 until September 24,

1 2008 pursuant to 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

2 August 28, 2008

3 \_\_\_\_\_  
4 /s/  
5 ANGELA M. HANSEN  
6 Assistant Federal Public Defender

7 August 28, 2008

8 \_\_\_\_\_  
9 /s/  
10 MARK EICHMAN  
11 Special Assistant United States Attorney

12 I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/)  
13 within this efiled document.

14 \_\_\_\_\_  
15 /S/ ANGELA M. HANSEN  
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## ORDER

2       Based on the reasons provided in the stipulation of the parties above, the Court hereby  
3 finds that the ends of justice served by the continuance requested herein outweigh the interest of  
4 the public and the defendant in a speedy trial because the failure to grant the continuance would  
5 deny counsel for the defendant reasonable time necessary for effective preparation, taking into  
6 account the exercise of due diligence. The Court makes this finding because counsel was  
7 recently appointed to represent Mr. Howard and she needs time to review the discovery and to  
8 meet with her client.

9           Based on these findings, IT IS HEREBY ORDERED THAT the STATUS hearing date of  
10 September 3, 2008 is continued to September 24, 2008 at 2:00 p.m. and time is excluded from  
11 September 3, 2008 to September 24, 2008 pursuant to 18 U.S.C. §§3161(h)(8)(A) and (B)(iv).

12 || IT IS SO ORDERED.

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Date

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HON. CLAUDIA WILKEN  
United States District Judge